

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ALEXANDER AARON GINZBURG

Plaintiff

v.

CIVIL NO. 19-1254 (RAM)

JORGE ALBERTO MARTÍNEZ-DÁVILA
A/K/A JORGE ALBERTI, HIS WIFE
KATIA PARRILLA AND THEIR
CONJUGAL PARTNERSHIP MARTÍNEZ-
PARRILLA; UTOPIA FILM LLC.

Defendants

ORDER

RAÚL M. ARIAS-MARXUACH, District Judge

Pending before the court is Plaintiff Alexander Aaron Ginzburg's ("Ginzburg") *Motion for Extension of time to Serve Process upon Utopia Film, LLC by Publication* (the "Motion") as to codefendant Utopia Film, L.L.C. ("Utopia"). (Docket No. 57). Attached to said motion is a verified statement from process server Yma D. González-Marrero, dated January 15, 2020, detailing her efforts to serve Utopia through its resident agent, codefendant Jorge Alberto Martínez-Dávila. (Docket No. 57-2). A Verified Complaint was filed on March 20, 2019 (Doc. 1). Upon reviewing the filings and the applicable law, the Court concludes that Ginzburg has "set forth probative facts showing that due diligence has been employed to locate [Utopia]," and that Ginzburg's verified complaint warrants authorizing summons by publication. Unión de

Periodistas, Artes Gráficas y Rama Anexas v. The San Juan Star Co., No. 10-1679, 2011 WL 280850, at *1 (D.P.R. Jan. 25, 2011) (citing Senior Loíza Corp. v. Vento Dev. Corp., 760 F.2d 20, 24 (1st Cir. 1985)). Therefore, Plaintiff's Motion at Docket No. 57 is **GRANTED**.

For the reasons set forth above, it is hereby **ORDERED** that:

(i) the term within which to serve Utopia is extended until 20 days after the date of this order; (ii) a summons directed to Utopia shall be issued by the Clerk of Court pursuant to Fed. R. Civ. P. 4(e) and Puerto Rico Rule of Civil Procedure 4.6; (iii) the Summons shall be published by edict only once in a newspaper of general circulation in the Commonwealth of Puerto Rico; and (iv) within ten (10) days following publication of this Summons, a copy of this Summons and the Complaint shall be sent to Utopia by certified mail with return receipt requested, or through any other delivery service with acknowledgment of receipt, provided said entity has no ties with Utopia nor any interest in the suit, to its last known address.

The parties are reminded that jurisdictional discovery must be completed by **January 31, 2020**.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 17th day of January, 2020.

S/ RAÚL M. ARIAS-MARXUACH
United States District Judge